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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,923	09/30/2003	Michael J. Dougherty	200304427-2	5162

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HEWLETT-PACKARD COMPANY
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EXAMINER	
CERULLO, JEREMY S	
ART UNIT	PAPER NUMBER
2112	

DATE MAILED: 01/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/674,923	Applicant(s) DOUGHERTY ET AL.	
	Examiner Jeremy S. Cerullo	Art Unit 2112	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 10, 20 and 25-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 10, 20 and 25-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. In response to the applicant's Remarks/Arguments regarding Claims 1 and 27, stating that the cited art does not contain the limitation that the device communicates with the laptop across the power lines of the communication bus, the examiner submits that Bard (U.S. Patent No. 6,530,026) does teach communication between devices over the power lines of a communication bus. In Column 4, Line 61 through Column 5, Line 18, Bard teaches automatic response circuitry that causes the device to switch from internal power to bus power in response to the voltage provided by another device on the bus. Since a response is triggered due to data (voltage level) on the power bus, it is considered communication. It would have been obvious to one of ordinary skill in the art at the time of the invention to have employed this communication method to prevent a laptop computer from being damaged by an inappropriate voltage on the bus.

2. Regarding the applicant's Remarks/Arguments as to the validity of the examiner's rejections of 10, 20, 26, 28, and 29, the examiner drops his rejections of Claim 26 under 35 U.S.C. 112 in light of the amendment of said claim. However, with respect to Claims 10 and 28-29, the examiner maintains his rejection under 35 U.S.C. 112. Although the applicant does disclose that his invention contains circuitry to allow a laptop to accept power over the power rails of a modified USB interface, such modifications are not claims in Claim 10, nor either of its dependents (Claims 28-29). The examiner accepts the applicant's arguments regarding Claim 20 and drops his rejection of Claim 20 under 35 U.S.C. 112.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 25-26 and 30-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bard (U.S. Patent No. 6,530,026). Bard teaches a power distribution system for distributing power between devices over a communication bus (Claims 1-2). More specifically, Bard explicitly suggests the use of an IEEE 1394 compliant bus to enable a docking station to provide power to a notebook computer (Column 1, lines 22-25). Bard also explicitly suggests that although his embodiment was illustrated with the 1394 specification, any serial data bus specification may be employed (Column 5, Lines 53-64). One of ordinary skill in the art at the time of the invention would be motivated by

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Bard to use a docking station to power a docked laptop computer over the power lines of any serial data bus, and it would have been obvious to one to have used USB, as it was a common and easily accessible protocol at the time of the invention.

6. Claims 10, 20, 28-29 and 32-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bard as applied to claims 25-26 and 30-31 above, and further in view of U.S. Patent No. 5,884,049 (Atkinson). The method as taught by Bard does not specify the voltage of the power accepted by the laptop. However, Atkinson teaches that power provided to a laptop through an AC/DC converter (sufficient power to charge the laptop battery) would be in the range of 8-18 volts. This reads upon the limitations of both Claim 32 (in excess of 5 volts) and Claim 33 (substantially 18 volts). It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided the power to the laptop in the method taught by Bard with a voltage in the range as taught by Atkinson in order to provide adequate power the laptop computer.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent No. 6,281,784.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeremy S. Cerullo whose telephone number is (571) 272-3634. The examiner can normally be reached on Monday - Thursday, 7:00-4:30; Alternate Fridays.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark H. Rinehart can be reached on (571) 272-3632. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JSC



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